

Barbara Cohan-Saavedra  
February 14, 2024

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

\* \* \*

NICHOLAS JAMES MCGUFFIN, as and :  
individual and as guardian :  
ad litem, on behalf of S.M., a :  
minor, :  
Plaintiffs, : NO. 6:20-cv-01163-MK  
- vs - : (Lead Case)  
MARK DANNELS, PAT DOWNING, SUSAN :  
HORMANN, MARY KRINGS, KRIS :  
KARCHER, SHELLY MCINNES, RAYMOND :  
MCNEELY, KIP OSWALD, MICHAEL :  
REAVES, JOHN RIDDLE, SEAN :  
SANBORN, ERIC SCHWENNINGER, :  
RICHARD WALTER, CHRIS WEBLEY, :  
ANTHONY WETMORE, KATHY WILCOX, :  
CRAIG ZANNI, DAVID ZAVALA, JOEL :  
D. SHAPIRO AS ADMINISTRATOR OF :  
THE ESTATE OF DAVE E. HALL, :  
VIDOCQ SOCIETY, CITY OF COQUILLE, :  
CITY OF COOS BAY, COOS COUNTY, :  
and OREGON STATE POLICE, :  
Defendants. :

\* \* \*

Oral deposition of BARBARA

COHAN-SAAVEDRA, taken at the law offices of STEVENS &  
LEE, 1500 Market Street, 18th Floor, Philadelphia,  
Pennsylvania, 19102, on Wednesday, February 14, 2024,  
beginning at approximately 12:08 p.m. EST, before Lisa  
M. Cooper, Court Reporter.

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U.S. LEGAL SUPPORT  
Northeast Processing Center  
1818 Market Street, Suite 1400  
Philadelphia, Pennsylvania 19103  
(877) 479-2484

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1 BY MR. LAUERSDORF:

2 Q. Okay. Why -- why hasn't something like that  
3 been done prior to this point?

4 A. Because -- you have to understand the way the  
5 Society works. If -- if we were investigating cases,  
6 then we would keep records of those cases. But we  
7 don't. We are -- we're a resource. I describe it to  
8 some people as like the Encyclopedia Britannica. If  
9 you don't have knowledge about a particular technique,  
10 issue, whatever, you go to a reference book, you find  
11 out how to do it and then you go do what you have to  
12 do.

13 The Society, although it started as a largely  
14 association or organization with a noble purpose, over  
15 the years has become more structured. And in that  
16 structure our core values, our core mission, has not  
17 changed at all. The mission is, we have a group of  
18 people who have very deep and broad knowledge on a  
19 variety of subjects. If a homicide happens in  
20 Philadelphia, which had 500-and-some homicides last  
21 year, we have a homicide department that knows exactly  
22 what to do. We have --

23 Q. The Society does?

24 A. No. I'm talking about the police department  
25 right now.

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1 Q. Okay.

2 A. The police department, they have detectives  
3 who do nothing but homicides. Your average cop on the  
4 street, because of the number of homicides we have,  
5 knows what to do. They know not to mess up a scene.  
6 They know to call in the homicide detectives, who know  
7 what witnesses to look at, what evidence to gather.  
8 But in a small town, where there are typically no  
9 homicides, or very few, even their most experienced  
10 detectives lack the breadth of knowledge that comes  
11 from experience of how best to keep a case from going  
12 cold.

13 So when they come to us, it's the equivalent  
14 of opening a reference book. We say to them, "Have you  
15 looked at this? Have you looked at that? Have you  
16 thought about this?", with the view towards guiding  
17 them to their obtaining things of potential evidentiary  
18 value in their own investigations. But the -- the  
19 investigation remains theirs, which is why we don't  
20 write reports. We don't keep statistics. We don't  
21 keep files. Because it's not our case.

22 We exist just to be say, "Hey, have you  
23 thought about trying this?" And sometimes it works.  
24 And sometimes it doesn't. Typically, we don't even  
25 follow up in the months after a presentation if we're

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C E R T I F I C A T I O N

I, Lisa M. Cooper, a Court Reporter and  
Notary Public, do hereby certify the foregoing to  
be a true and accurate transcript of my original  
stenographic notes taken at the time and place  
hereinbefore set forth.

Witness my hand and official seal this  
14th day of February A.D. 2024.

A handwritten signature in dark ink that reads "Lisa Cooper". The signature is written in a cursive, flowing style. Below the signature is a dashed horizontal line.

Lisa M. Cooper  
Court Reporter and Notary Public

(The foregoing certification of this  
transcript does not apply to any reproduction of  
the same by any names, unless under the direct  
control and/or supervision of the certifying  
reporter.)

# Constitution and Bylaws of the Vidocq Society

## ORGANIZATION AND MEMBERSHIP

### ARTICLE I - NAME

This Association shall be known as The VIDOCQ SOCIETY. Its guiding principle shall be Veritas Veritatum (Truth Begets Truth).

### ARTICLE II - OBJECTIVES

The objects of this organization shall be:

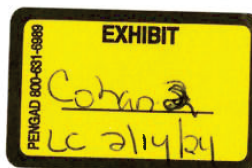
- To render *pro bono* assistance to law enforcement jurisdictions in the solving of “cold case” homicides or other crimes provided that such cases, (1) be brought to the Society’s attention by recognized law enforcement agencies or by immediate family members who can assure the Society of the cooperation and interest of the relevant recognized law enforcement agency, (2) are two years old or older (3) and are not cases in which the death of the victim may be the result to the victim’s involvement in felonious behavior or engaging in inherently dangerous activities.
- To offer law enforcement jurisdictions in-service seminars in topics related to the functioning of cold case units.
- To offer in-service seminars to the membership relating to the application of forensic techniques as they may be used in solving cold case homicides.

In doing so, the organization seeks to be absolute in promoting the health, safety, and welfare of the membership while they pursue the goals of the Society.

### ARTICLE III - MEMBERS -

Section 1 - The Board of Directors shall decide who shall be elected to, and reinstated in, the Society.

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Section 2 - There shall be three categories of membership: Full Member, Special Member and Honorary Member. The number of full members shall not exceed 82. There shall be no set limit to the number of Special Members except as established by the decision of the Board based on logistical considerations. There shall be no set limit to the number of Honorary Members.

Section 3 - Those eligible for membership are:

- A. For Full Member - A current Special Member in good standing may be nominated by a Board Member for Full Membership, provided that such nomination will not exceed eighty-two. Full Membership may be granted only by a consensus of the quorum of Board present at a regular business meeting. Only a Full Member shall be eligible to nominate Officers and Directors and vote in elections or on business matters brought forward for the consideration of the Full Membership.
- B. For Special Member - An applicant for Special Membership must be nominated to the Board by a Full Member in good standing and seconded by another Full Member. Such a nomination must be accompanied by a completed application form and an annual dues payment, the latter to be returned if the applicant is not approved. The nominee must have attained the age of majority, be of exemplary character, possess a forensic skill or other skill necessary for the management of the organization and demonstrated a commitment to solving cold case homicides.
- C. For Honorary Member – Given meritorious service to the Vidocq Society, or to the community or for other distinguished service, an individual may be elected to honorary membership by a majority vote of the Board of Directors at a regular Board meeting. Such honorary membership shall involve no payment of initiation fee, dues or other charges, and shall convey no voice or vote in the affairs of the Society.

Section 4 – All members are welcome to all regular business meetings and are encouraged to participate in and contribute to the fulfillment of the objects of the Society.

Section 5 – All members are entitled to use the honorific VSM.

Section 6 – Any member domiciled within 150 miles of Philadelphia must attend at least one meeting per year.

Section 7 – Any member whose official duties prevent attendance at meetings, whose domicile is more than 150 miles distant from Philadelphia or who is incapacitated shall not be subject to Section 6 (above). These will be expected to aid in the mission of the Society to the best of their ability when asked.

#### **ARTICLE IV - DISMISSAL FROM THE SOCIETY**

Section 1 - All memberships are subject to revocation by the Board for good cause.

Section 2 - At the end of the calendar year, any member who has failed to meet the annual attendance requirement shall receive notice of noncompliance and shall have the right to present an explanation to the Board. The Board shall evaluate the member's response and shall take such action as they shall deem appropriate.

Section 3 – Should the action of the Board be dismissal for non-attendance, the former member may apply for reinstatement. The board shall consider such applications a regular business meeting of the Board provided that a quorum is present and take such action as they deem appropriate.

Section 4 - Should the action of the Board be dismissal from the Society for cause, the member may appeal to the board for reconsideration. Such appeals shall be considered at a regular business meeting of the Board or at a special meeting of the Board, provided that a quorum is present. All decisions regarding the appeal by the member shall be final.

### **BY-LAWS**

#### **ARTICLE I - OFFICERS**

Section 1 - The officers of this Society shall be a Commissioner, two Deputy Commissioners, the senior of whom shall be the Case Manager, a Secretary, a Treasurer and nine Directors. The Society's officers and constitute the Board of Directors. Additionally, a retiring Commissioner of the Society shall automatically become a

supernumerary member of the Board of Directors for two years, unless elected to another office.

Section 2 – All officers shall serve for two years.

Section 3 – The Commissioner, the Second Deputy Commissioner, The Secretary and Four Directors shall stand for election on odd years. The senior Deputy Commissioner, the Treasurer and Five Directors shall stand for election on even years.

Section 4 – Only for the purpose of bringing the sequencing of elections into compliance as described in Sections 2 and 3, certain officers may on a one-time basis serve three year terms.

## **ARTICLE II - DUTIES OF THE OFFICERS -**

Section 1 – Duties of the Commissioner: The Commissioner shall preside at all regular meetings of the Society and set the agenda for all such meetings. The Commissioner or the Commissioner's designee shall be the only member who shall have the right to speak officially on behalf of the Society. Upon the authorization of a majority of a quorum of the Board, he shall sign all written contracts and obligations of the Society, and/or delegate or empower other officers of the Society to do so in certain instances. The commissioner shall perform all ceremonial duties of the office and such other duties that shall normally pertain to such an office. Additionally, the Commissioner shall appoint *ad hoc* committees and shall serve as an *ex officio* member of all such committees.

Section 2 – Duties of the Senior Deputy Commissioner: The Senior Deputy Commissioner shall be the Society's Case Manager and shall report on the state of cases currently under management at each meeting. The Case Manager shall receive all cases submitted to the Society for its consideration. The Case manager shall decide which cases shall be materially addressed by the Society, having sought the advice and of members whose specialties relate to those particular cases, provided that such cases in the Case Manager's opinion meet the criteria for acceptance established by the Society. In the absence or disability of the Commissioner, the Deputy Senior Deputy Commissioner shall chair all Board meetings and be Acting Commissioner, as circumstances require.



Section 3 – The Second Deputy Commissioner, in the absence and/or disability of both the Commissioner and the Senior Deputy Commissioner, shall assume or delegate the responsibilities of the Commissioner and Senior Deputy Commissioner, chair Board meetings and be Acting Commissioner, as circumstances require.

Section 4 – Duties of the Secretary: The Secretary shall keep minutes of the proceedings of the Society and the Board of Directors and submit the prior meeting's minutes for verification and emendation at the following meeting. The minutes as amended and approved shall be the official record of the proceedings of the Society. The Secretary shall also retain copies of all relevant documents, contracts and correspondence. The Secretary shall issue notices of meetings and the subjects to be addressed to all members two weeks in advance of the meetings via email. The Secretary shall perform such duties as assigned by the commissioner usually associated with the office of Secretary.

Section 5 – Duties of the Treasurer: The Treasurer shall receive all dues and other funds paid into the Society. Such monies shall be deposited in an interest-bearing account in a banking institution or other investment vehicle as designated by the Board. The Treasurer shall retain a record of all such receipts and investments and interest accruing. The Treasurer shall issue payments for all materials and services as authorized by the Board, except in a case where timeliness is required or preauthorized; in which event, it shall be reported and justified at the next regular Board meeting. The Treasurer shall report on the state of the Society's financial affairs at each Board meeting, be responsible for tax compliance and issue an annual report to the membership concerning the Society's finances.

### **ARTICLE III - BOARD OF DIRECTORS**

Section 1 - Duties of the Board of Directors:

A: The Board shall elect a Chairperson who would preside over Board Meetings.

This person shall serve for a two-year period where another election may take place. The incumbent may be removed at any time by a majority vote of the Board.

B. The Board shall pass on all matters relating to membership as stipulated in Organization and Membership, Articles III and IV. This shall include appointing members to fill Board vacancies to fill any unexpired term except as provide for in the Bylaws, Article II.

C. The Board shall act as a committee of the whole in considering and acting upon matters relating to the Objectives, Finances and Business of the Society

#### **ARTICLE IV - MEETINGS -**

Section 1 -- Business meetings shall be on the third Thursday of each month unless other wise designated by the Board or Commissioner. A quorum of 28 Full Members shall be required to conduct official business in matters that require votes.

Section 2 -

In order for a Board meeting to conduct official business, a quorum of seven members is required.

D. The Agenda for all regular Board meetings shall be: (1) Reading of the Minutes, (2) Reports of the Officers, (3) Reports of the Committees, (4) Old Business, (5) New Business

E. Additional Board meetings may be called as required to address specific issues, at which only those matters related to the immediate issue may be discussed and decided upon, provided a quorum is present.

Section 3 -- Special meetings in which the voting membership shall constitute a committee of the whole may be called by either the Board of Directors or upon the request of 25% of the voting membership.

Section 4 -- All meetings shall be conducted according to Robert's Rules of Order.

#### **ARTICLE V - ELECTIONS**

Section 1 -- Nominations for Officers and Directors shall be held at the regular October Business meeting. Mail nominations shall be received and accepted as valid provided they are faxed or postmarked not earlier than October 15<sup>th</sup> or later

than November 15<sup>th</sup>.

- A. Should there be only one nominee for a vacant office, that nominee shall be considered elected by acclamation and the result affirmed by voice vote at a regular business meeting of the membership.
- B. Should there be more than one nominee for a vacant office, names of nominees, the offices for which they are candidates and their stated qualifications shall be mailed to all Full Members along with ballot kits on the first business day after ????????January 1<sup>st</sup>.
- C. A ballot kit shall consist of a ballot and a self-addressed, postage paid envelope with a place for the member's signature on the reverse side.
- D. All ballots, to be valid will be inserted in the election envelope which must be signed by the voting member and postmarked no later than February 5<sup>th</sup>.
- E. In order for the election to be official, at least 40 valid ballots must be received.
- F. After the closing date for the receipt of ballots, three members of the Board not standing for election shall constitute the election committee. They shall inspect all ballots and set aside all invalid ballots. Provided, 40 valid ballots remain, all valid ballots shall be removed from their envelopes and put into a ballot box. After all envelopes are opened, the ballots shall be counted and the results verified by a recount and the nominees notified in a timely fashion.
- G. All newly elected officers shall take office at the February Board meeting.
- H. The winners of the election shall be announced to the membership at the regular February business meeting and in the following edition of the Journal.
- I. In the event there are not 40 valid ballots, the election shall be voided, and the election shall be held as the first matter of business at the regular February business meeting, providing a quorum is present, the voting done by written ballot. In this event the newly elected officers shall join the Board at its March meeting with the results announced in the next following Journal.

#### ARTICLE VI – DUES

Section 1 - Dues notices shall be sent out on the first business day of January of each year.

Section 2 - Dues not received within 90 days of the mailing shall be considered delinquent and may constitute a basis for termination of membership.

Section 3 - For members over the age of 70 or older, who have been members for at least five years shall have their dues waived if requested.

#### **ARTICLE VII – CHANGES TO THE CONSTITUTION AND THE BYLAWS**

Section 1 – Notice of a meeting at which the matter of the Constitution and the Bylaws are to be discussed with the purpose of proposing alterations and/or amendments must be given to all members by regular mail or e-mail to be received at least thirty days prior to such meeting.

Section 2 - A two-thirds vote of a quorum of members at a regular business meeting or a special convened for that specific purpose, provided that meeting meets the notice requirements in Article VII, Section 1, may alter and/or amend the Constitution and the Bylaws.